

1
2 DWIGHT F. RITTER, ESQ. (STATE BAR #127030)
3 RITTER & ASSOCIATES
4 2869 INDIA STREET
5 SAN DIEGO, CA 92103
(619) 296-0123

6 Attorney for Plaintiffs
7 ROBERT MATOS and SLOBODAN PRANJIC

FILED
DISTRICT COURT OF GUAM

MAY - 7 2007 *hba*

MARY L.M. MORAN
CLERK OF COURT

8
9 IN THE UNITED STATES DISTRICT COURT
10

11 FOR THE TERRITORY OF GUAM
12

13 TCW SPECIAL CREDITS, et al.) Case No. 96-00055
14 Plaintiffs,)
15 v.)
16 FISHING VESSEL CHLOE Z,) MATOS AND PRANJIC'S RESPONSE
17 Et al.,) TO CHLOE Z'S OBJECTION TO
18 Defendants.) SUPPLEMENTAL BRIEF AND
) CORRECTION TO MATOS AND
) PRANJIC'S SUPPLEMENTAL BRIEF

19

20 Plaintiffs, ROBERT MATOS and SLOBODAN PRANJIC, by their
21 counsel, Dwight Ritter, inform the court that MATOS and PRANJIC
22 have no objection to defendants filing supplemental briefs in
23 reference to the prejudgment and post-judgment issues. Even
24 though Chloe Z has objected to the MATOS and PRANJIC
25 supplemental brief, we believe fairness requires a proper
26 determination of interests on the MATOS and PRANJIC judgments
27 and that the court should be fully informed of the dominant and
28 controlling law as it relates to the determination of

1
2 prejudgment and post-judgment interest.
3

4 In that regard, MATOS and PRANJIC seek to correct a past
5 citing error which occurred with regards to the applicable
6 interest rates in the PRANJIC matter. First, in the supplemental
7 brief PRANJIC claimed in item "III", that the proper "average"
8 of statutory post judgment interest rates during the applicable
9 time for purposes of determining prejudgment interest should be
10 5.03%. That number is incorrect. A review of the expert
11 economic analysis provided by Robert Wallace, reveals that the
12 requested percentage rate is actually 4.96%. (See Robert
13 Wallace Exhibit 1 attached) The incorrect prejudgment interest
14 rate in the supplemental brief had no effect on the
15 determination of prejudgment interest by Robert Wallace since he
16 used the appropriate rate of 4.96%.

17 In addition, the supplemental brief at item "IV" also
18 mistakenly suggested a PRANJIC post-judgment interest rate of
19 4.72%. This was also an error and is incorrect. The proper post-
20 judgment interest rate on the PRANJIC judgment is 4.56%. Again,
21 please note that Robert Wallace's post-judgment interest
22 calculations were based on the proper percentage rate of 4.56%
23 and thus his calculations remain accurate in that regard. (See
24 Robert Wallace Ex.1 attached and included in the initial Motion
25 for Prejudgment and Post-Judgment Interest)

26
27 WHEREFORE, MATOS and PRANJIC have no objection to the
28 filing of supplemental briefs by other interested parties and

1
2 note these two corrections to the supplemental brief.
3
4

5 Dated: May 7, 2007

George M. Butler
6 GEORGE BUTLER, Esq.
7 Attorney for Plaintiffs,
ROBERT MATOS and
SLOBODAN PRANJIC

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attachment 1

Pranic ←

Date of valuation	1-Oct-06	Amount of judgement	\$577,421
Date of incident	25-Nov-91		
Date of judgement	11-Jan-99		

Pre-judgement interest

<u>From</u>	<u>To</u>	<u># Year</u>	<u>Amount</u>	<u>Interest</u>	<u>Total</u>
25-Nov-91	24-Nov-92	1.00	\$ 577,421	\$ 28,640	\$ 606,061
25-Nov-92	24-Nov-93	1.00		\$ 30,061	\$ 636,122
25-Nov-93	24-Nov-94	1.00		\$ 31,552	\$ 667,673
25-Nov-94	24-Nov-95	1.00		\$ 33,117	\$ 700,790
25-Nov-95	24-Nov-96	1.00		\$ 34,759	\$ 735,549
25-Nov-96	24-Nov-97	1.00		\$ 36,483	\$ 772,032
25-Nov-97	24-Nov-98	1.00		\$ 38,293	\$ 810,325
25-Nov-98	10-Jan-99	0.13		\$ 5,225	\$ 815,550
		7.13			\$ 238,129

Post-judgement interest

<u>From</u>	<u>To</u>	<u># Year</u>	<u>Amount</u>	<u>Interest</u>	<u>Total</u>
11-Jan-99	25-Nov-99	0.87	\$ 815,550	\$ 32,355	\$ 847,905
26-Nov-99	25-Nov-00	1.00		\$ 38,664	\$ 886,569
26-Nov-00	25-Nov-01	1.00		\$ 40,428	\$ 926,997
26-Nov-01	25-Nov-02	1.00		\$ 42,271	\$ 969,268
26-Nov-02	25-Nov-03	1.00		\$ 44,199	\$1,013,466
26-Nov-03	25-Nov-04	1.00		\$ 46,214	\$1,059,680
26-Nov-04	25-Nov-05	1.00		\$ 48,321	\$1,108,002
26-Nov-05	30-Sep-06	0.84		\$ 42,441	\$1,150,443
		7.21			\$ 334,893
		14.84	\$ 577,421	\$ 573,022	\$1,150,443

Notes:

Interest is computed daily, and compounded annually.

Interest used for

Pre-judgement	4.96% ←
Post-judgement	4.56% ←